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Hon. William F. Kuntz
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

BY ECF

Re: USA v Akmal Zakirov, 15 CR 95 (WFK)

Dear Judge Kuntz,

I write to request the appointment of a second attorney, Joshua I. Dratel, Esq. in this factually and legally complex case. Since you appointed me to represent Mr Zakirov last month, I have met with my client and co-counsel and began a review of the discovery material and legal issues involved. As you are aware, Mr. Zakirov is (now) charged with four others with conspiring to provide and providing material support to a terrorist organization, namely ISIL.

This case involves a massive amount of discovery, consisting of material in different languages much of which must be reviewed only at the Secure Compartmental Information Facility (SCIF) . It also involves the submission of motions relating to the Classified Information Procedures Act ("CIPA") and the Foreign Intelligence Surveillance Act ("FISA").

I am a sole practitioner and do not employ the services of either a para-legal or an associate attorney. In the past, when I have represented defendants in complex cases, I have obtained the assistance of co-counsel to insure that my clients received their constitutional right to the effective assistance of counsel.

Joshua Dratel is an attorney with whom I have worked extensively for the last 20 years. He is uniquely qualified to assist me in this case. He has experience in terrorism and national security cases and would be in a position to assist me with preparing motions and memoranda, locating and contacting potential experts, developing defense strategy and managing other labor-intensive aspects of the case (i.e. visiting a client detained at MDC which is often a process requiring at least half a day).

My understanding is that this case might involve travel for investigative purposes and Mr. Dratel can be invaluable in that regard as well - especially should the situation arise in which travel is required to locales that are not necessarily hospitable to women.

Mr. Dratel is on the CJA panel in the Southern District of New York and on the roster for the appointment of learned counsel in capital cases in the Eastern District of New York. He was appointed by Judge Duffy in the SDNY to assist me in the representation of Mohammed Suleiman al Nalfi, 98 Cr. 1023 (KTD) (SDNY), the "Embassy Bombing" case. In *United States v Kazin*, 09 CR 660 (JG) and *United States v Hasbajrami*, 11 Cr. 623 (JG), Judge Gleeson appointed Mr. Dratel even though the defendants in those cases each already had two lawyers (who remained on the case). More recently Judge Cogan appointed Mr. Dratel to join the defense team (again already consisting of two lawyers) in *United States v Hausa*, 12 Cr. 134 (BMC). I believe that Your Honor has appointed second counsel for other defendants in this case.

Mr. Dratel's appointment would serve to conserve CJA resources. His familiarity with national security litigation (in addition to litigating in several federal courts for the past 15 years, he has written several law review articles) will enable me (and even co-defendants' counsel) to prepare the appropriate motions efficiently and effectively.¹

One of the distinct advantages of adding Mr. Dratel is that he already holds the appropriate national security clearance and would begin the review process immediately. Joining any case in mid-stream is a challenge, but here, for me the challenge is amplified by the volume of the discovery, the nature of the charges, and the stakes for the defendant if convicted. There are aspects of this case that are outside the realm of the usual case and Mr. Dratel's experience in those very areas will be of significant assistance to me.

Accordingly, for all these reasons, it is respectfully requested that the court grant this application and appoint Mr. Dratel to assist me as counsel for Akmal Zakirov.

Respectfully yours,

Marion Seltzer

¹Mr. Dratel has been appointed as "learned counsel" in three (already completed) capital eligible cases in the EDNY: *United States v. Recinos*, 04 Cr. 939 (LDW), *United States v. Amaya*, 10 Cr. 74 (JFB), and *United States v Cerna*, 15 Cr. 87 (JFB).